

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
 N/S Ventnor Terrace, 102 ft. E  
 of Willow Spring Road \* ZONING COMMISSIONER  
 126 Ventnor Terrace  
 12th Election District \* OF BALTIMORE COUNTY  
 7th Councilmanic District  
 Daniel G. Fink, Sr., et ux \* Case No. 95-236-A  
 Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 126 Ventnor Terrace in the Dundalk section of Baltimore County. The Petition is filed by Daniel G. Fink, Sr., and Patricia Ann Fink, his wife, property owners. Variance relief is requested from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing open porch and deck with rear yard setbacks of 10 ft. and 2 ft. in lieu of the required 37.5 ft. The subject property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case were the aforementioned property owners, Daniel G. and Patricia A. Fink. There were no Protestants or interested persons present.

Testimony and evidence offered was that the subject property is approximately 1,284 sq. ft. in area and is zoned D.R.10.5. The property is a rectangularly shaped lot located near the Baltimore City/Baltimore County line. The property is improved by a two story rowhouse and is an end of row unit. The house fronts Ventnor Terrace and the rear yard and western side yard abut a concrete alley.

The Petitioners testified that they have owned the house and resided therein for 16 years. Approximately 5 years ago, they decided to replace

ORDER RECEIVED  
 2/28/95  
 Date  
 By

MICROFILMED

an existing rear deck/porch which had deteriorated. They obtained a permit (B031075) from Baltimore County which allowed them to complete the work. That permit shows setbacks of 10 ft. and 2 ft. to the rear yard. The deck was constructed in 1989. Apparently, an adjoining neighbor recently complained to the Office of Zoning Enforcement about a fence on the Petitioners' property and two large dogs owned by Mr. and Mrs. Fink. During the course of the Zoning Enforcement's investigation, it was discovered that the replacement deck is situated closer to the property line than allowed and that the subject variances are required.

Based on the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted. There is no evidence that the deck where situated causes any adverse affect on neighboring properties or the subject locale. Moreover, site constraints unique to this property; i.e., its irregular shape and existing construction, present the Petitioners with a practical difficulty which justifies the variance pursuant to the requirements contained in Section 307 of the BCZR and the case law. Thus, the Petition should and will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

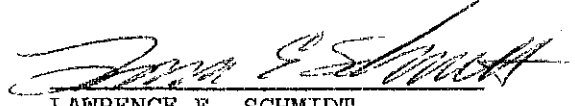
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8<sup>th</sup> day of February, 1995 that a variance from Sections 1B02.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit an existing open porch and deck with rear yard setbacks of 10 ft. and 2 ft. in lieu of the required 37.5 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk

ORDER RECORDED  
1995 FEB 10 PM 4:15  
16/8/95  
[Signature]

until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES/mmn

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING

Date

2/8/95

By

M. G. G. G. G.

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 7, 1995

Mr. and Mrs. Daniel G. Fink, Sr.  
126 Ventnor Terrace  
Baltimore, Maryland 21222

RE: Case Nos. 95-236-A  
Petition for Zoning Variance  
Property: 126 Ventnor Terrace

Dear Mr. and Mrs. Fink:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

ENCLOSURE





# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 126 Ventnor Terrace  
which is presently zoned 21222  
DR 10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) **1B02.3.C.1 & 301.1.A**

To permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

*To be discussed @ the hearing.*

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Legal Owner(s)

Daniel & Patricia Fink, Sr. Daniel G. Fink, Sr.  
(Type or Print Name) (Type or Print Name)

Mrs. Daniel & Patricia Fink Daniel G. Fink, Sr.  
Signature Signature

126 Ventnor Terrace Patricia A. Fink  
Address (Type or Print Name)

Dundalk, Md. 21222 Patricia A. Fink  
City State Zipcode Signature

Attorney for Petitioner.

126 Ventnor Terr. 410-282-9722  
Address Phone No

\_\_\_\_\_  
(Type or Print Name)  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
City State Zipcode

Dundalk, Md. 21222  
City State Zipcode

Name, Address and phone number of representative to be contacted.

\_\_\_\_\_  
Address Phone No  
\_\_\_\_\_  
City State Zipcode

\_\_\_\_\_  
Name  
\_\_\_\_\_  
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING  
unavailable for Hearing  
the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_  
REVIEWED BY: zf DATE 1-3-95



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED

# 226

SCHEDULE "A"

95-236-A

BEGINNING for the same on the North side of Ventnor Terrace at the distance of 102 feet 3 inches Easterly from the East side of Willow Spring Road, which place of beginning is also on the East side of an alley 13 feet 3 inches wide; and running thence Northerly at right angles to the North side of Ventner Terrace and binding on the East side of said alley with the use thereof in common, 46 feet 10  $\frac{3}{4}$  inches to the South side of an alley 10 feet wide; thence binding thereon with the use thereof in common, North 62 degrees 23 minutes East 26 feet 1 inch; thence Southerly by a line running at right angles to Ventnor Terrace and passing through the center of a partition wall erected between the house on the lot now being described and the house on the lot adjoining thereto on the east 57 feet 1  $\frac{3}{8}$  inches to the North side of Ventnor Terrace; and thence Westerly binding thereon 24 feet to the place of beginning.

The improvements thereon being known as No. 126 Ventnor Terrace.

LIBER 4407 FOLIO 303

# 226

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

95-236-17

District: 12th Date of Posting: 1/22/95  
Posted for: Variance  
Petitioner: Daniel & Patricia Fink  
Location of property: 126 Ventnor Terrace, N/S  
Location of Signs: Facing road way, on property being removed  
Remarks: \_\_\_\_\_  
Posted by: M. J. [Signature] Date of return: 2/25/95  
Signature  
Number of Signs: 1



# CERTIFICATE OF PUBLICATION

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #85-236-A  
(Item 226)

126 Ventnor Terrace  
N/S Ventnor Terrace, 102'  
E of Willow Spring Road  
12th Election District  
7th Councilmanic

Legal Owner(s):

Daniel Gary Fink, Sr. and  
Patricia Ann Fink  
Hearing: Monday,  
February 6, 1995 at  
10:00 a.m. in Rm. 118, Old  
Courthouse.

Variance to permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.  
1/180 January 19,

TOWSON, MD.,

Jan. 20, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan. 19, 1995

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

Publication





*City of Baltimore*  
**Zoning Administration &  
Development Management**  
171 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

95-236-1A

Account: R-001-6150

Number

Date

3-3-95

Taken by JRF

FINK - 126 Ventnor Terrace

OIO - Variance = \$50.00

OFO - Sign = \$35.00

\$85.00

RECEIVED

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 220

Petitioner: Daniel & Patricia Fink, Sr.

Location: 126 Ventnor Terrace

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Daniel & Patricia Fink, Sr.

ADDRESS: 126 Ventnor Terrace

Dundalk, Md. 21222

PHONE NUMBER: 410-282-9722

AJ:ggs

MICROFILMED

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY

January 19, 1995 Issue - Jeffersonian

Please forward billing to:

Daniel and Patricia Fink  
126 Ventnor Terrace  
Dundalk, Maryland 21222  
410-282-9722

---

### NOTICE OF HEARING

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Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-236-A (Item 226)

126 Ventnor Terrace

N/S Ventnor Terrace, 102' E of Willow Spring Road

12th Election District - 7th Councilmanic

Legal Owner(s): Daniel Gary Fink, Sr. and Patricia Ann Fink

HEARING: MONDAY, FEBRUARY 6, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

JANUARY 10, 1995

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-236-A (Item 226)

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12th Election District - 7th Councilmanic

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HEARING: MONDAY, FEBRUARY 6, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Daniel and Patricia Fink

*cc: Kate, Harry*

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 30, 1995

Mr. and Mrs. Daniel Fink, Sr.  
126 Ventnor Terrace  
Dundalk, Maryland 21222

RE: Item No.: 226  
Case No.: 95-236-A  
Petitioner: Mr. Fink, et ux

Dear Mr. and Mrs. Fink:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: January 23, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for January 23, 1995  
Items 225, 226, 227, 229, 230, 231, 232, 233,  
234, and 236

The Developers Engineering Section has reviewed  
the subject zoning item and we have (no) comments.

RWB:sw

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BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 1/27/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee  
Agenda: 1/17/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

226 ✓

227

228

229

231

232

233

235

LS:sp

LETTY2/DEPRM/TXTSBP



**Maryland Department of Transportation**  
**State Highway Administration**

O. James Lighthizer  
Secretary

Hal Kassoff  
Administrator

1-13-95

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No.: *\$ 226 (JRF)*

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for* Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202




BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: January 12, 1995

FROM: Pat Keller, Director   
Office of Planning and Zoning

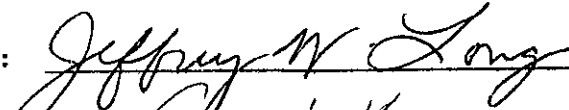
SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 226, 227, 231, 233, and 236

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:



Division Chief:



PK/JL

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/17/95

David Jablon  
Director  
General Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
Phone: 910P-1105

Re: Property Owner: SEE BELOW

REASON: DISTRIBUTION MEETING OF JAN. 17, 1995

Item No.: SEE BELOW

Zoning Agenda:

Comments:

Pursuant to your request, the referenced property has been surveyed by the Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 221, 226, 227, 229,  
231, 232 AND 233.

BY: L. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887 4881, 115-1105F

MICROFILMED





Zoning

# Enforcement

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Carl W. Richards  
Zoning Coordinator

January 3, 1995

FROM: James H. Thompson -LJW  
Zoning Enforcement Coordinator

RE: Item No. 226

VIOLATION CASE # C-95-962  
LOCATION OF VIOLATION 126 VENTNOR TERRACE  
DEFENDANT MR. & MRS. DANIEL G. FINK  
ADDRESS 126 VENTNOR TERRACE

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME & ADDRESS

KAREN HAVN  
124 VENTNOR TERRACE, 21222

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

WICROFILM

RE: PETITION FOR VARIANCE \* BEFORE THE  
126 Ventnor Terrace, N/S Ventnor Terrace, \* ZONING COMMISSIONER  
102' E of Willow Spring Road, 12th \* OF BALTIMORE COUNTY  
Election District, 7th Councilmanic \*  
Patricia Ann and Daniel Gary Fink, Sr. \*  
Petitioners \* CASE NO. 95-236-A

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24<sup>th</sup> day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to Patricia Ann and Daniel Gary Fink, Sr., 126 Ventnor Terrace, Baltimore, MD 21222, Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

95-136-A

Permit BO31075

126 Ventnor Terrace -

shows  
sublocks of  
10' x 20'

Sale plan shows.

16 years

2 story brick house

concrete porch covered on front

~~FAHSE~~

Rowhouse (end of row)

Deck been there 5 years -

alley way to the rear

Deck built in 1989 -

No adverse comments

Existing  
Deck

Rindall -

has 2 dog created  
complaint

No  
Ok to Grant - Restruct.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

DANIEL G FINK SR  
Patricia Fink

126 VENTNOR TERR.  
126. Ventnor Terr.

04/10/2014 11:00 AM



PARK

MAPLE

AVENUE

BL

PARKING AREA

DETROIT

AVENUE

CLEVELAND

AVENUE

BL

D.R. 5.5

COLGATE

AVENUE

D.R. 10.5

ST. HELENA

AVENUE

BL

VENTNORTER

D.R. 10.5

PATAPSCO

AVENUE

BL

D.R. 5.5

BALTIMORE

AVENUE

BL

D.R. 10.5

RIVERVIEW

D.R. 5.5

AVENUE

ST.

HELENA

D.R. 10.5

SE 4E

BL-CCC

# 226

95-236-A

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

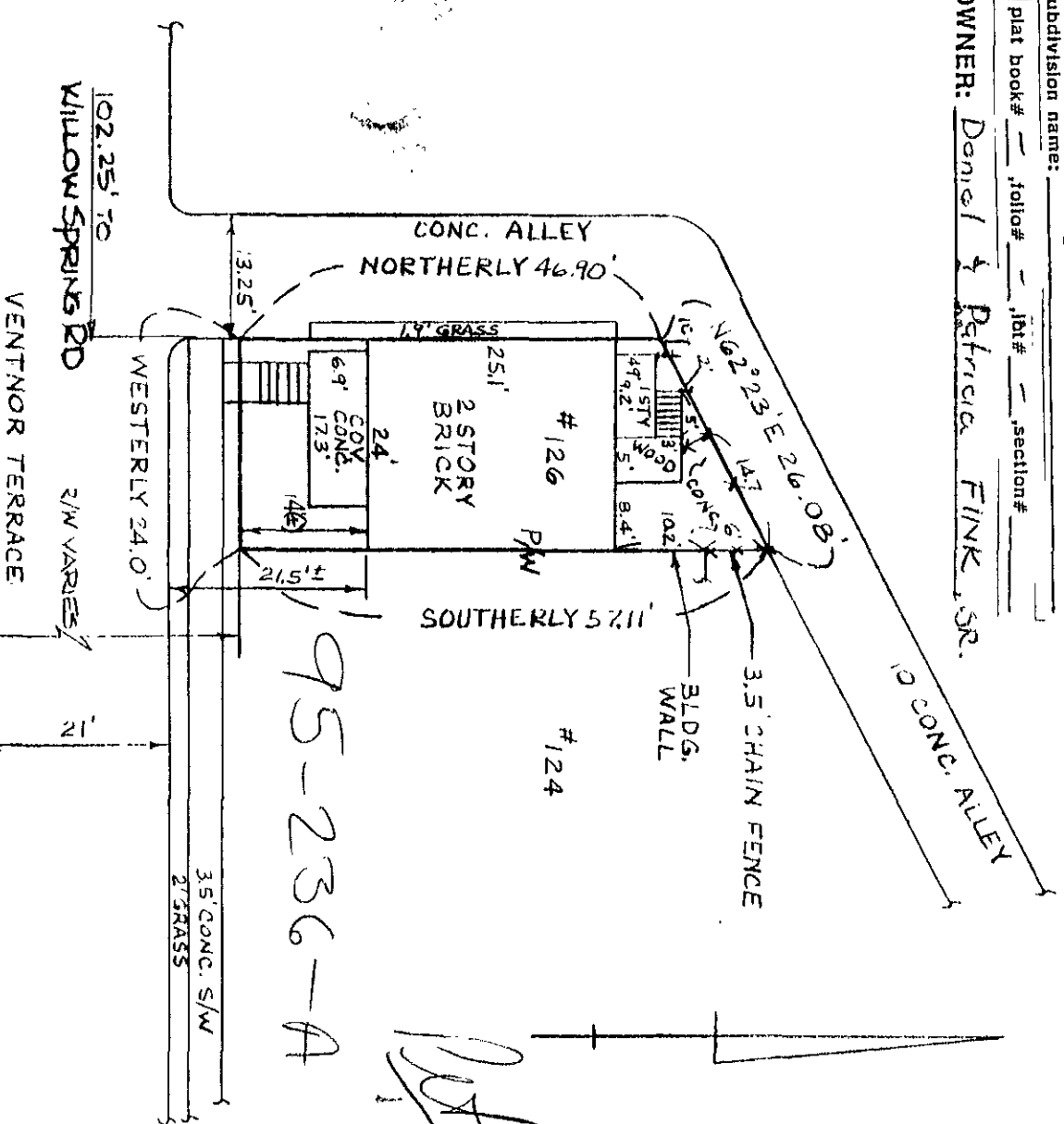
PROPERTY ADDRESS: 126 VENTNOR TER.

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: \_\_\_\_\_

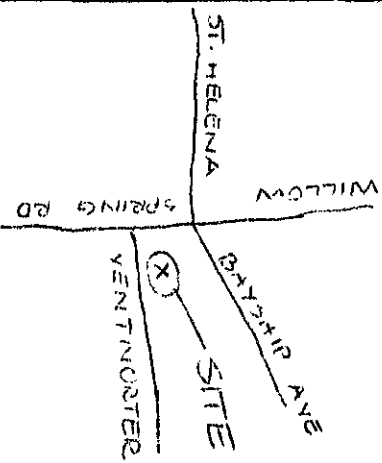
plat book # \_\_\_\_\_, folio # \_\_\_\_\_, lot # \_\_\_\_\_, section # \_\_\_\_\_

OWNER: Daniel & Patricia Fink, SR.



95-236-A

*[Handwritten signature]*



Vicinity Map  
Scale: 1"=1000'

## LOCATION INFORMATION

Election District: 12 H

Councilmanic District: 7

1"=200' scale map#: SE-4E

Zoning: DR-10 S

Lot size: 1,234.05 square feet

SEWER: ☒ PUBLIC ☐ PRIVATE  
WATER: ☒ YES ☐ NO

Chesapeake Bay Critical Area: ☐ YES ☒ NO

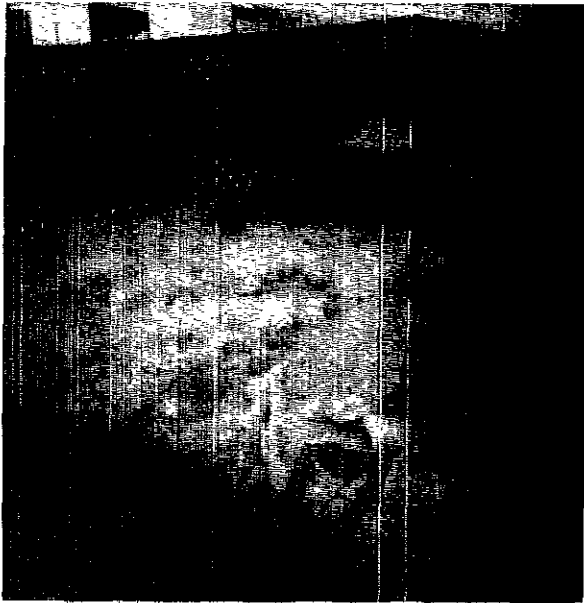
Prior Zoning Hearings: NONE

## Zoning Office USE ONLY!

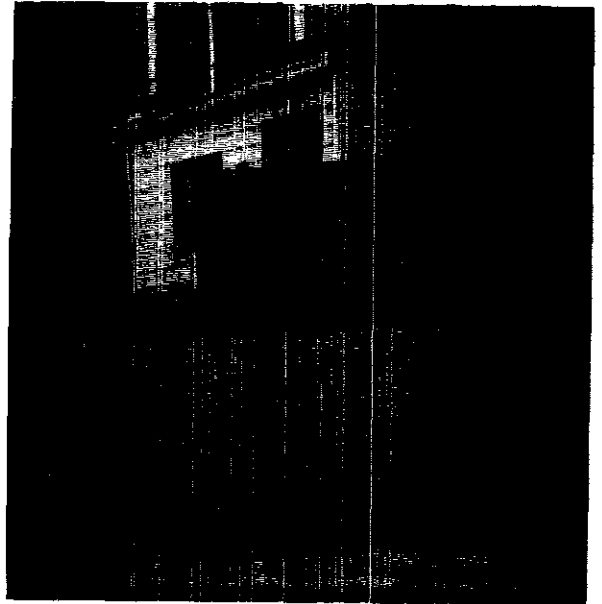
reviewed by: \_\_\_\_\_ ITEM #: \_\_\_\_\_ CASE#: \_\_\_\_\_

date: 12-28-74  
prepared by: DF Scale of Drawing: 1"=30'

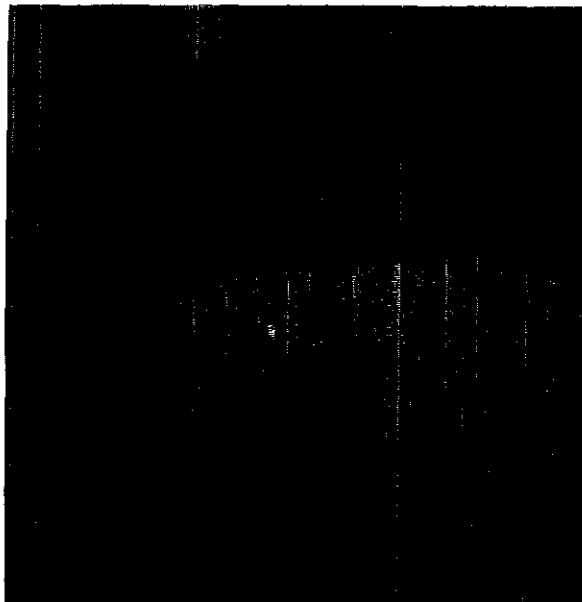




Ref 2A



Ref 2B



Ref 2C

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
N/S Ventnor Terrace, 102 ft. E \* ZONING COMMISSIONER  
of Willow Spring Road \*  
126 Ventnor Terrace \* OF BALTIMORE COUNTY  
12th Election District \*  
7th Councilmanic District \*  
Daniel G. Fink, Sr., et ux \* Case No. 95-236-A  
Petitioners \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 126 Ventnor Terrace in the Dundalk section of Baltimore County. The Petition is filed by Daniel G. Fink, Sr., and Patricia Ann Fink, his wife, property owners. Variance relief is requested from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an existing open porch and deck with rear yard setbacks of 10 ft. and 2 ft. in lieu of the required 37.5 ft. The subject property and relief requested are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Zoning Variance.

Appearing at the requisite public hearing held for this case were the aforementioned property owners, Daniel G. and Patricia A. Fink. There were no Protestants or interested persons present.

Testimony and evidence offered was that the subject property is approximately 1,284 sq. ft. in area and is zoned D.R.10.5. The property is a rectangularly shaped lot located near the Baltimore City/Baltimore County line. The property is improved by a two story rowhouse and is an end of row unit. The house fronts Ventnor Terrace and the rear yard and western side yard abut a concrete alley.

The Petitioners testified that they have owned the house and resided therein for 16 years. Approximately 5 years ago, they decided to replace

an existing rear deck/porch which had deteriorated. They obtained a permit (B031075) from Baltimore County which allowed them to complete the work. That permit shows setbacks of 10 ft. and 2 ft. to the rear yard. The deck was constructed in 1989. Apparently, an adjoining neighbor recently complained to the Office of Zoning Enforcement about a fence on the Petitioners' property and two large dogs owned by Mr. and Mrs. Fink. During the course of the Zoning Enforcement's investigation, it was discovered that the replacement deck is situated closer to the property line than allowed and that the subject variances are required.

Based on the testimony and evidence presented, I am persuaded that the Petition for Variance should be granted. There is no evidence that the deck where situated causes any adverse affect on neighboring properties or the subject locale. Moreover, site constraints unique to this property; i.e., its irregular shape and existing construction, present the Petitioners with a practical difficulty which justifies the variance pursuant to the requirements contained in Section 307 of the BCZR and the case law. Thus, the Petition should and will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 8th day of February, 1995 that a variance from Sections 1802.3.C.1 and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to permit an existing open porch and deck with rear yard setbacks of 10 ft. and 2 ft. in lieu of the required 37.5 ft., be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk

-2-

until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mnn

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 7, 1995

Mr. and Mrs. Daniel G. Fink, Sr.  
126 Ventnor Terrace  
Baltimore, Maryland 21222

RE: Case Nos. 95-236-A  
Petition for Zoning Variance  
Property: 126 Ventnor Terrace

Dear Mr. and Mrs. Fink:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted, with restriction, in accordance with the attached order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES/mnn  
att.

Printed with Soy-based Ink  
on Recycled Paper

**Petition for Variance**  
to the Zoning Commissioner of Baltimore County  
for the property located at 126 Ventnor Terrace, which is presently zoned D.R.10.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 & 301.1.A

To permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To be discussed @ the hearing

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessor: Daniel G. Fink, Sr. Daniel G. Fink, Sr.  
(Type or Print Name) (Type or Print Name)  
Signature: Patricia A. Fink Patricia A. Fink  
Address: 126 Ventnor Terrace 126 Ventnor Terrace  
Dundalk, Md. 21222 Dundalk, Md. 21222  
City State Zipcode City State Zipcode  
Name, Address and phone number of representative to be contacted: Daniel G. Fink, Sr. 126 Ventnor Terrace, Dundalk, Md. 21222-9722  
Name Address Phone No. Name Address Phone No.  
City State Zipcode City State Zipcode

ESTIMATED LENGTH OF HEARING: 15 minutes  
the following date: 1-3-95  
RECEIVED BY: JF DATE: 1-3-95  
#226

SCHEDULE "A" 95-236-A

BEGINNING for the same on the North side of Ventnor Terrace at the distance of 102 feet 3 inches Easterly from the East side of Willow Spring Road, which place of beginning is also on the East side of an alley 13 feet 3 inches wide; and running thence Northerly at right angles to the North side of Ventnor Terrace and binding on the East side of said alley with the use thereof in common, 46 feet 10 3/4 inches to the South side of an alley 10 feet wide; thence binding thereon with the use thereof in common, North 62 degrees 23 minutes East 26 feet 1 inch; thence Southerly by a line running at right angles to Ventnor Terrace and passing through the center of a partition wall erected between the house on the lot now being described and the house on the lot adjoining thereto on the east 57 feet 1 3/8 inches to the North side of Ventnor Terrace; and thence Westerly binding thereon 24 feet to the place of beginning.

The improvements thereon being known as No. 126 Ventnor Terrace.  
LIBER 6407 FOLD 303

#226

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 12th Date of Posting: 1/24/95  
Posted for: Variance  
Petitioner: Daniel G. Fink, Sr.  
Location of property: 126 Ventnor Terrace, Md.  
Location of Sign: Fencing, 1102 W. W. Ave. from Prop. being sought  
Remarks:  
Posted by: [Signature] Date of return: 1/25/95  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 19, 1995  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan. 19, 1995

THE JEFFERSONIAN  
LEGAL AD. - TOWSON

Baltimore County Government  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt  
95-236-A

Date: 1-3-95

FINK - 126 Ventnor Terrace

OIO - Variance = \$50.00  
OSU - Sign = \$35.00  
\$85.00

Please Make Checks Payable To: Baltimore County



Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon, Director

For newspaper advertising:

Item No.: 226

Petitioner: Daniel & Patricia Fink, Sr.

Location: 126 Ventnor Terrace

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Daniel & Patricia Fink, Sr.

ADDRESS: 126 Ventnor Terrace  
Dundalk, Md. 21222

PHONE NUMBER: 410 352-9722

AJ:ggg (Revised 04/09/93)

TO: POTTERY PUBLISHING COMPANY  
January 15, 1995 Issue - Jeffersonian

Please forward billing to:

Daniel and Patricia Fink  
126 Ventnor Terrace  
Dundalk, Maryland 21222  
410-282-9722

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-236-A (Item 226)

126 Ventnor Terrace  
W/S Ventnor Terrace, 102' S of Willow Spring Road  
12th Election District - 7th Councilmanic

Legal Owner(s): Daniel Gary Fink, Sr. and Patricia Ann Fink  
HEARING: MONDAY, FEBRUARY 6, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

LAURENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204  
JANUARY 10, 1995

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Variance to permit an existing open porch and deck with rear yard setbacks of 10 feet and 2 feet in lieu of the required 37.5 feet.

Arnold Jablon  
Director

cc: Daniel and Patricia Fink

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 30, 1995

Mr. and Mrs. Daniel Fink, Sr.  
126 Ventnor Terrace  
Dundalk, Maryland 21222

RE: Item No.: 226  
Case No.: 95-236-A  
Petitioner: Mr. Fink, et ux

Dear Mr. and Mrs. Fink:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on January 3, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,  
W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 23, 1995  
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for January 23, 1995  
Items 225, 226, 227, 229, 230, 231, 232, 233,  
234, and 236

The Developers Engineering Section has reviewed the subject zoning item and we have no comments.

RWB:rw

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM DATE: 1/27/95  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 1/17/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 226 ✓  
227  
228  
229  
231  
232  
233  
235

LS:sp

LETTY2/DEPRM/TXTSHP

Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No: 226 (JKE)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2266 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 12, 1995  
Zoning Administration and  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 226, 227, 231, 233, and 236

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey W. Long  
Division Chief: Cheryl Kenna

PK/JL

ITEM226/P2008E/TXTJWL



